

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, a remote public hearing will be held on November 4, 2022, at 2 p.m. relative to the adoption of:

101 CMR 306.00: Rates for Mental Health Services Provided in Community Health Centers and Mental Health Centers

Summary of Proposed Regulation

Pursuant to M.G.L. Chapter 118E, Section 13D, the Executive Office of Health and Human Services (EOHHS) is required to establish and periodically review the rates to be paid by governmental units to providers of non-institutional health care services, including mental health center services provided under the MassHealth program.

The proposed amendments are effective January 1, 2023. The amendments propose to: 1) incorporate the code and modifier for Preventive Behavioral Health services, which was added to the MassHealth benefit, effective September 1, 2021; 2) add codes and rates for Structured Outpatient Addiction Program (SOAP) services, Enhanced Structured Outpatient Addiction Program (ESOAP) services, Intensive Outpatient Program (IOP) services, and Certified Peer Specialists (CPS); 3) establish rates for two new psychotherapy codes (90837 and 90846); 4) Add modifiers to designate clinician licensure-level for services; 5) increase certain rates by either aligning the rate to a percentage of a blended Massachusetts-specific Medicare non-facility physician rate or to proposed rates for comparable provider types, or by increasing the rates 10% over the current rate; 6) maintain the current rates for certain other codes; and 7) increase rates in this regulation by an additional 15% for services provided by mental health centers designated as Behavioral Health Urgent Care providers.

EOHHS is proposing these amendments to ensure that payment rates are consistent with efficiency, economy, and quality of care, and to satisfy the requirements of M.G.L. 118E, sections 13C and 13D. It is estimated that annual aggregate MassHealth expenditure will increase by approximately \$12.9 million for community mental health centers and community health centers over FY2019 base spending. There is no fiscal impact on cities and towns.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings. To join the hearing by phone, call (646) 558-8656 and enter meeting ID 935 397 8200# when prompted.

You may also submit written testimony instead of, or in addition to, live testimony. To submit written testimony, please email your testimony to ehs-regulations@mass.gov as an attached Word or PDF document or as text within the body of the email with the

name of the regulation in the subject line. All written testimony must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5 p.m. on November 4, 2022. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the current draft of the proposed actions, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@mass.gov or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings.

October 14, 2022